

Attorney Pascuzzi, Susan L. (for Petitioner Minnie Jean Mayfield-Johnson, Administrator)
 Petition for Settlement of Second and Final Account; Petition for Final
 Distribution and for Allowance of Compensation for Ordinary and
 Extraordinary Services

DOD: 7/19/1996		MINNIE JEAN MAYFIELD-JOHNSON daughter and Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 1/1/2014 – 7/24/2015	Continued to 10/15/2015 Per Attorney Request
		Accounting - \$57,110.17	
		Beginning POH - \$51,410.17	1. Paragraph 7 of the Petition states no notice is required under Probate Code § 9202(b) since letters were issued prior to 7/1/2008. However, the date of issuance of letters does not affect subsection (b) of § 9202, thus the Petition must include a statement regarding notice to the Director of the CA Victim Compensation and Government Claims Board.
		Ending POH - \$55,623.36 (real property on Pottle and \$15,623.36 cash)	
Cont. from		Administrator - \$2,308.95 (statutory)	2. Petitioner requests the remaining balance of cash on hand by reason of additional rent payments until final distribution be held as a reserve account for final expenses, which open-ended reserve is inconsistent with this Court's practice of authorizing a sum certain in the Court's order for closing reserve.
<input checked="" type="checkbox"/> Aff.Sub.Wit.		Attorney - \$2,308.95 (statutory)	
<input checked="" type="checkbox"/> Verified		Attorney - \$11,243.00 (per Declaration and itemization filed 7/27/2015; for unlawful detainer trial and resulting stipulation; negotiations and re-negotiations for sale of real property; settlement of ownership issues; oversee lease agreement to benefit of estate;)	
Inventory		Closing - "any remaining cash" (any rent payments until final distribution)	
PTC		Petitioner states:	
Not.Cred.		<ul style="list-style-type: none"> During the administration, the ownership of the real property on Pottle Avenue in Fresno was disputed by the occupant of the real property, WANDA F. SMITH, the wife of Decedent's late son (Ernest Smith, Sr.), and an heir to the estate by reason of the assignment of beneficial interests from CRYSTAL SMITH, CHERRELL SMITH, ROSETA SMITH, CARMELITA MILES and ERNEST SMITH, JR.; WANDA F. SMITH claimed title by adverse possession; the property was subsequently sold to Wanda Smith for \$85,000.00 through a settlement agreement; Wanda Smith was unable to obtain financing and defaulted on the agreement; 	
<input checked="" type="checkbox"/> Notice of Hrg		~Please see additional page~	
<input checked="" type="checkbox"/> Aff.Mail w /			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters 022806			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202 X			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice N/A			
			Reviewed by: LEG
			Reviewed on: 8/31/15
			Updates: 9/1/15
			Recommendation:
			File 1 – Mayfield

Petitioner states, continued:

- A second settlement agreement was entered by which Wanda Smith was granted a least with an option to purchase the property for **\$50,000.00** (price reflects market downturn), which was approved by this Court on 3/11/2009; Wanda Smith did not exercise the option and it expired on 8/11/2011;
- Upon the option expiration, and based on the depressed real estate market and lack of marketability of the real property, the lease agreement with Wanda Smith has remained in place; Petitioner believes Wanda Smith has made all real property tax payments, loan payments to the City of Fresno, and all rental payments as agreed; *[Note: Income Receipts, Schedule A, shows rent payments from Wanda Smith have been received of \$5,700.00 from 1/1/2014 to 7/24/2015];*
- To close the administration of the Estate, **LEE McCAIN**, son, **LaTOYA MAYFIELD**, granddaughter, and **MINNIE MAYFIELD-JOHNSON**, daughter (Petitioner), have each agreed to assign their interests in the real property on Pottle Avenue to **CARMELITA MILES** for the sum of **\$5,000.00** each; *[Assignments filed on 5/29/2007];*
- The assignments are effective at such time as **\$15,000.00** has been deposited to the **BAKER, MANOCK & JENSEN** Trust Account *[Attorney JEFF JAECH serves as attorney for Wanda Smith]*, to be released to the assignors upon entry of the order distributing an undivided $\frac{3}{4}$ (**75%**) interest in the property to **CARMELITA MILES** and an undivided $\frac{1}{4}$ (**25%**) interest to **WANDA F. SMITH**, who are to receive the real property from the estate subject to a loan in favor of the City of Fresno in the amount of **~\$24,000.00** and any taxes and assessments due and payable;
- The amount necessary to pay closing expenses is **\$15,860.90**, while the amount on hand is **\$15,623.36**; however, there is due the estate the sum of **\$300.00** for rent due 8/1/2015, and the first of each month thereafter until the estate is distributed which will leave enough cash on hand available for distribution; Petitioner requests the remaining balance of cash on hand by reason of additional rent payments until final distribution be held as a reserve account for final expenses;
- In the event **CARMELITA MILES** is unable to perform under the terms of the Assignment of Interest filed *[on 8/27/2015]*, the real property should be distributed to **LEE McCAIN**, **LaTOYA MAYFIELD**, **MINNIE MAYFIELD-JOHNSON**, and **WANDA F. SMITH** in order that the administration of the estate be closed.

Distribution pursuant to intestate succession; to Assignment of Interest in Decedent's Estate filed on 5/29/2007, 6/23/2015, and 8/27/2015; and upon verification that the [\$15,000.00] consideration for the assignments has been deposited to the BAKER, MANOCK & JENSEN Trust Account, is to:

- **WANDA F. SMITH** – undivided $\frac{1}{4}$ interest (25%) in real property on Pottle Avenue.
- **CARMELITA MILES** – undivided $\frac{3}{4}$ interest (75%) in real property on Pottle Avenue.

Note: *Assignment of Interests* filed 8/27/2015 provides that **CARMELITA MILES** shall deposit the sum of **\$15,000.00** to the Trust Account of **BAKER, MANOCK & JENSEN** at least 3 business days prior to the court hearing on the Petition for Final Distribution *[set for 9/2/2015]*, and that **BAKER, MANOCK & JENSEN** shall pay to each of the Assignors the sum of **\$5,000.00** within 5 business days of entry of the Order for Final Distribution distributing an undivided $\frac{3}{4}$ (**75%**) interest in the property to **CARMELITA MILES**, who shall have no obligation to pay the consideration as provided *[in the Assignment of Interests]* until and unless such Order is entered. *Assignment of Interests* also provides that **WANDA F. SMITH** will continue to pay rent to the Estate in the amount of **\$300.00** per month until the entry of the Order.

Attorney Rusca, Rodney R. (for Petitioner Heather Huffman, mother)

Attorney Magness, Marcus D. (for Petitioner Nora S. Yerena, Guardian, maternal aunt)

Petition to Change Venue

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p><i>First Amended Petition to Transfer Proceedings to Santa Cruz County was filed 8/19/2015 by Nora Yerena, (now represented by Attorney Magness), and is set for hearing on 10/19/2015.</i></p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 8/31/15
		Updates:
		Recommendation:
		File 2 – O’Ryan

3 Ramona I. Jaramillo (Estate) Case No. 07CEPR00719**Attorney Tuttle, Ernest H., III (for Vanessa Jaramillo – Administrator)****Probate Status Hearing re: Failure to File a First Account or Petition for Final Distribution**

DOD: 05/02/2006	VANESSA JARAMILLO , was appointed Administrator with Will Annexed with full IAEA authority and bond set at \$83,000.00 on 09/18/2007.	NEEDS/PROBLEMS/COMMENTS: 1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from	Receipt of Bond in the amount of \$83,000.00 filed 01/03/2008.	
Aff.Sub.Wit.	Letters issued on 01/25/2008.	
Verified		
Inventory	Inventory and Appraisal 02/08/2008 shows an estate valued at \$195,000.00.	
PTC		
Not.Cred.		
Notice of Hrg	First Account and or Petition for Final Distribution was due on 11/2008.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	Notice of Status Hearing set this status hearing for the Failure to File a First Account or Petition for Final Distribution. The notice was mailed to Attorney Ernest Tuttle and Administrator Vanessa Jaramillo on 07/07/2015.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: LV
Reviewed on: 08/31/2015
Updates:
Recommendation:
File 3 – Jaramillo

Petition for Termination of Guardianship

		ANTONIO LUJAN, SR. , paternal grandfather, is Petitioner. Petitioner was appointed guardian on 07/27/10. Father: ANTHONY LUJAN – Consent & Waiver of Notice filed 07/02/15 Mother: MISTY McANINCH – Consent & Waiver of Notice filed 07/02/15 Paternal grandmother: PATRICIA McNIEL – served by mail on 07/27/15 Maternal grandfather: KEVIN McANINCH Maternal grandmother: SUE INMAN – Consent & Waiver of Notice filed 07/02/15 Petitioner states [see Petition for details]. Court Investigator Jennifer Daniel filed a report on 08/21/15.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: Kevin McAninch (maternal grandfather). Note: Declaration of Due Diligence filed by Lisa Gagon in connection with her Petition to be Appointed as Successor Guardian states that Mr. McAninch's whereabouts is unknown.	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			n/a
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: JF Reviewed on: 08/31/15 Updates: Recommendation: File 4A – Lujan	

Petition for Appointment of Guardian of the Person

			<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:	
			LISA GAGON , maternal aunt, is Petitioner.		1. Declaration of Due Diligence filed 07/02/15 states that the whereabouts of Kevin McAninch (maternal grandfather) is unknown. If diligence is not found, need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice for Kevin McAninch (maternal grandfather).	
			Father: ANTHONY LUJAN – Consent & Waiver of Notice filed 07/02/15			
			Mother: MISTY McANINCH – Consent & Waiver of Notice filed 07/02/15			
Cont. from			Paternal grandfather/guardian: ANTONIO LUJAN – Consent & Waiver of Notice filed 07/02/15			
	Aff.Sub.Wit.		Paternal grandmother: PATRICIA McNIEL – served by mail on 07/27/15 & personally served on 08/17/15			
✓	Verified		Maternal grandfather: KEVIN McANINCH – Declaration of Due Diligence filed 07/02/15 states that his whereabouts is unknown			
	Inventory		Maternal grandmother: SUE INMAN – Consent & Waiver of Notice filed 07/02/15			
	PTC		Petitioner states [see Petition for details].			
	Not.Cred.		Court Investigator Jennifer Daniel filed a report on 08/26/15.			
✓	Notice of Hrg					
✓	Aff.Mail					
	Aff.Pub.					
	Sp.Ntc.					
	Pers.Serv.	n/a				
✓	Conf. Screen					
✓	Letters					
✓	Duties/Supp					
	Objections					
	Video Receipt					
✓	CI Report					
	9202					
✓	Order					
	Aff. Posting					
	Status Rpt					
✓	UCCJEA					
	Citation					
	FTB Notice					
					Reviewed by: JF Reviewed on: 08/31/15 Updates: Recommendation: File 4B – Lujan	

First Account and Report of Administrator

DOD: 9/1/12		JULIE RAVISCIONI , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 9/1/13 – 7/15/15	<ol style="list-style-type: none"> Accounting does not comply with Probate Code 1060 et seq. The IRS filed a Creditor's Claim in the amount of \$104,205.30. Pursuant to Probate Code § 11420 debts owed to the United States shall be given preference. According to the petition the Creditor's Claim of the IRS is still unpaid however other creditor's claims with a lower priority totaling \$38,195.52 have been paid. It appears that the IRS claim should have been paid prior to any other claim being paid. Petition shows payments totaling \$65,875.00 to "Business Loan – TO Transport, Inc." Need clarification. Petition shows payments to Nicole Dixon (one of the beneficiaries) totaling \$13,000.00. Need clarification. Creditor's Claim of Camber Dupree was filed in the amount of \$37,747.00 and was rejected on 9/24/14. Accounting shows Camber Dupree was paid \$47,747.00 for said claim. Need clarification. Order does not comply with Local Rule 7.
Cont. from		Accounting - ????	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH- \$182,150.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$ 54,465.13	
<input type="checkbox"/>	Inventory	Petitioner states she never intended to borrow money nor did she do so without the intention of paying it all back. It is understood that her father did not have a will, but did establish his verbal wishes with her and his siblings. They can vouch for the fact that she only intended to uphold his wishes.	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Petitioner states she hopes the judge will understand and take into consideration that she full intends to make everything right with the estate.	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/	Petitioner prays for an Order:	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	<ol style="list-style-type: none"> The first account and report be settled, allowed and approved as filed. All of the acts and proceedings of petitioner as administrator through July 15, 2015 be confirmed and approved. 	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Orde		
<input type="checkbox"/>	Aff. Posting	Reviewed by: KT Reviewed on: 8/31/15 Updates: Recommendation: File 5 – Dupree	
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Petition for Final Distribution on Waiver of Accounting

DOD: 12/7/2013		THOMAS BRESSLER , Executor, is petitioner. Accounting is waived. I & A - \$206,733.74 POH - ??? Executor - waives.	NEEDS/PROBLEMS/COMMENTS: Continued from 7/29/15. As of 8/31/15 the following issues remain: 1. Petition does not list the Creditor's Claim of Bank of America in the amount of \$6,630.96 filed on 4/25/14. California Rules of Court, Rule 7.403. 2. Need Allowance or Rejection or Rejection of Creditor Claim of Bank of America. California Rules of Court, Rule 7.401. 3. Petitioner indicates he made preliminary distributions of the 1,858 shares of PG&E common stock to the beneficiaries of the estate (620 shares to Thomas, 620 shares to Sally and 618 shares to Derek). Derek should receive an equal share or an offset from other assets of the estate. 4. Need receipts from the beneficiaries for preliminary distributions of the PG&E common stock and personal property. 5. Petition does not contain a statement regarding if notice to the Franchise Tax Board was performed, as required by Probate Code 9202(c)(1). 6. Need property on hand schedule. California Rules of Court, Rule 7.651. 7. Order does not comply with Local Rule 7.6.
Cont. from 072915			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
Aff.Mail		Distribution, pursuant to Decedent's Will, is to: Thomas Bressler - 1/3 Sally Bressler - 1/3 Derek Weibel - 1/3	
Aff.Pub.			
Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv. W/O		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202		Reviewed by: KT Reviewed on: 8/31/15 Updates: Recommendation: File 6 – Bressler	
<input checked="" type="checkbox"/>	Order		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Attorney

Fanucchi, Edward L. (for Linda Crouch – Conservator)

Attorney

LeVan, Nancy J. (Court Appointed for Conservatee)

Probate Status Hearing re Filing of the First Account

	LINDA CROUCH , daughter, was appointed Conservator of the Person and Estate on 06/04/14. Letters of Conservatorship were issued on 07/21/14.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 08/05/15</u> 1. Need First Account and Report of Conservator.										
Cont. from 080515												
Aff.Sub.Wit.	Inventory & Appraisal, Final , filed 08/06/14 - \$82,500.00	<table border="1"> <tr><td>Reviewed by:</td><td>JF</td></tr> <tr><td>Reviewed on:</td><td>08/31/15</td></tr> <tr><td>Updates:</td><td></td></tr> <tr><td>Recommendation:</td><td></td></tr> <tr><td>File</td><td>7 – Welton</td></tr> </table>	Reviewed by:	JF	Reviewed on:	08/31/15	Updates:		Recommendation:		File	7 – Welton
Reviewed by:	JF											
Reviewed on:	08/31/15											
Updates:												
Recommendation:												
File	7 – Welton											
Verified												
Inventory												
PTC	Inventory & Appraisal, Supplemental, filed 10/22/14- \$8,927.19											
Not.Cred.												
Notice of Hrg	Minute Order from 06/04/14 set this matter for status regarding filing of the First Account.											
Aff.Mail												
Aff.Pub.												
Sp.Ntc.	Status Report for Filing of First Account											
Pers.Serv.	Current filed 07/31/15 states: The first account is currently being prepared and will be filed soon. If the accounting is not filed before the 08/05 hearing, a 30 day continuance is requested.											
Conf. Screen												
Letters												
Duties/Supp												
Objections												
Video Receipt												
CI Report												
9202												
Order												
Aff. Posting												
Status Rpt												
UCCJEA												
Citation												
FTB Notice												

Petition for Order Compelling Trustee to Account and Report

Thomas J. Davis DOD: 6-5-00	JOSHUA DAVIS, Beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Wealthea Davis DOD: 3-25-98	Petitioner states he is a beneficiary of the Davis 1989 Family Trust dated 11-17-89 (the Trust) (Exhibit A). On or about the same date, Thomas and Wealthea Davis also created the Davis Family 1989 Life Insurance Trust (the Insurance Trust) (Exhibit B). The Family Trust became irrevocable on the settlors' deaths. The Insurance Trust was already irrevocable during their lifetimes. Petitioner states BRUCE NEILSEN is the successor trustee of both trusts.	
Cont from 051914, 061814, 071614, 082714, 101414, 121514, 022314, 033015, 052615, 072215		Note: Account and Report filed on 3/26/15 is Page B of this calendar; however the accounting is not provided in the format required by Probate Code §1060.
<input type="checkbox"/> Aff.Sub.Wit.		Note: On 8-26-14, Joshua Davis, Corey Davis and Brittney Davis filed a separate Petition for Order Compelling Trustee to Account and Report in Case 14CEPR00790, titled "Davis Family 1989 Life Insurance Trust – See Page 13 of this calendar.
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		Update: Status report filed 8/28/15 by Trustee Bruce Neilson states due to the time period covered and the lack of familiarity by the accountants of the format for a court accounting, the accounting will not be completed in time. Accordingly, the trustee requests an additional 30 days to complete the account.
<input checked="" type="checkbox"/> Aff.Mail	W	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
SEE ADDITIONAL PAGES		Reviewed by: skc
		Reviewed on: 9/1/15
		Updates:
		Recommendation:
		File 8A - Davis

Page 2

Petitioner states moreover, Trustee Neilsen has failed to require the execution of notes requirement repayments by the borrowers of the Trust and Insurance Trust assets, and/or that Trustee Neilsen has failed to require the repayment of principal and interest on the Trust and Insurance Trust monies by the borrowers, all to the detriment of Petitioner and the other beneficiaries.

Petitioner states the Trust estate was to be divided into 12 separate trusts immediately on the death of both settlors. Petitioner made inquiries of Trustee Neilsen as to what is held in the trust created for Petitioner, but Trustee Neilsen has not provided the requested information or any meaningful response. Petitioner is informed and believes that Trustee Neilsen has, without consent or knowledge of several of the beneficiaries, used Trust and/or Insurance Trust assets to fund business transactions initiated by other beneficiaries, all to the detriment of Petitioner and other beneficiaries.

Petitioner has been unable to determine what has been done with what portion of the Insurance Trust assets and the Trust assets which were to have been segregated from the rest of the Trust property and Insurance Trust property for Petitioner's benefit.

Petitioner requests the Court order as follows:

1. Directing Trustee Bruce Neilsen to prepare and file a complete account and report of his administration of the Davis 1989 Family Trust and the Davis 1989 Life Insurance Trust for the period of June 6, 2000 through March 31, 2014, inclusive;
2. Directing Trustee Bruce Neilsen to set the Account and Report for hearing and give notice of same pursuant to §17203;
3. Awarding Petitioner reasonable attorneys' fees and costs incurred in this matter; and
4. Granting any and all other relief as the Court deems just and proper.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS:

- ~~1. This petition requests accountings for two separate trusts. The two separate trusts have separate terms, separate assets, and separate purposes, and as such consideration by the Court requires separate petitions, separate notice, separate files, separate filing fees, and ultimately separate accountings.~~

~~The Court may designate this case number as the Family Trust file and direct Petitioner to initiate a separate proceeding regarding the Life Insurance Trust.~~

Update: On 8-26-14, Joshua Davis, Corey Davis and Brittney Davis filed a separate Petition for Order Compelling Trustee to Account and Report in Case 14CEPR00790, titled "Davis Family 1989 Life Insurance Trust – See Page 7 of this calendar.

2. Also, per its terms, the Family Trust was to immediately divide into twelve (12) separate trusts, only one of which was for Petitioner's benefit. Need clarification and authority regarding the scope of the request for accounting(s).

Note: The language in the instruments differentiates between division into separate trusts and into separate shares, as contemplated by the Life Insurance Trust.

3. Notice appears to have been mailed to six people as couples, rather than as individuals entitled to direct notice. The Court may require amended direct service pursuant to Cal. Rules of Court 7.51.
4. Probate Code § 17200(b)(7) provides that the Court can compel the trustee to provide information or account if the trustee has failed to provide the requested information within 60 days after the beneficiary's reasonable written request. Here, Petitioner states that he requested information after the settlors' deaths, which was approx. 14 years ago, but Petitioner does not state if any recent written request was made pursuant to § 17200(b)(7), or what response was received, if any, pursuant to the written request. The Court may require clarification as to whether this petition may be prematurely filed pursuant to § 17200(b)(7) and may require continuance for formal request and response. (Note: The requests should be separated for each trust pursuant to the above items.)
5. Need revised order.

Atty Neilson, Bruce A. (Attorney Trustee – Petitioner)

Account and Report of Trustee and Petition for its Settlement

		BRUCE NEILSON , Trustee of the DAVIS 1989 FAMILY TRUST , dated 11/17/89 , submits the account and report of administration as set forth in Exhibit A.	NEEDS/PROBLEMS/COMMENTS: <u>Update:</u> Status report filed 8/28/15 by Trustee Bruce Neilson states due to the time period covered and the lack of familiarity by the accountants of the format for a court accounting, the accounting will not be completed in time. Accordingly, the trustee requests an additional 30 days to complete the account. 1. This Account is not in the form required by Probate Code §1060 and therefore cannot be reviewed by Examiner.
Cont. from 052615, 072215			
<input type="checkbox"/>	Aff.Sub.Wit.	Account period: 1/1/04 – 12/31/13 The Trustee declares that he has read the account and report as prepared by Moore, Grider CPAs and knows the contents thereof.	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Objection to Account was filed 5/21/15 by Joshua Davis, Corey Davis, and Britney Davis. See Objection for details.	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input checked="" type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: skc Reviewed on: 9/1/15 Updates: Recommendation: File 8B - Davis

8B

Petitioner Brenda Long Suta (Pro Per Petitioner, Executor)

Amended Petition for Final Distribution and Distribution to Testamentary Trust

DOD: 8/27/2013		BRENDA LONG SUTA , sister and Executor, is Petitioner. <u>Account period: 9/16/2014 to 7/22/2014</u> Accounting - Not stated Beginning POH - \$164,236.90 Ending POH - \$159,945.10 <i>(all cash)</i> Executor - \$5,927.07 <i>(statutory)</i> Costs - \$2,427.00 (paid) <i>(bond premium, filing fees, probate referee, publication, certified copies;)</i> Distribution pursuant to Decedent's Will is to: • BRENDA LONG SUTA as Trustee of the ANDREA KAY LONG LIVING TRUST dated 6/12/2005 – entire estate consisting of \$154,467.03 cash.	NEEDS/PROBLEMS/COMMENTS: <u>Notes:</u> <ul style="list-style-type: none"> Both the <i>Petition for Final Distribution</i> filed 4/13/2015 and the <i>Amended Petition for Final Distribution</i> filed 7/24/2015 have been reviewed in conjunction with each other in order to avoid the need for additional defects to be cured by Petitioner. Summary of Account does not list any charges and credits in equal values as required by Probate Code § 1061(b) and (c). However, the accounting has been reviewed despite the incorrect format and irregularities in the accounting, given that the Petitioner has provided the information in various forms, including receipts for expenses and Exhibits containing schedules of administrative costs and receipts of the estate. 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/ O
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			091614
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	FTB Notice			
		Reviewed by: LEG Reviewed on: 9/1/15 Updates: Recommendation: File 9 – Long		

		<div>NEEDS/PROBLEMS/COMMENTS:</div> <div> <div>OFF CALENDAR</div> <div> On 8/10/15, Ms. Hill filed a copy of her Letters of Guardianship issued by King County Superior Court, State of Washington. </div> </div>
Cont. from 020415, 052015, 061015, 070815, 081215		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		<div>Reviewed by: skc</div> <div>Reviewed on: 8/31/15</div> <div>Updates:</div> <div>Recommendation:</div> <div>File 10 - Lowe</div>

**First Account and Report of Co-Trustees; Petition for Instructions to Co-Trustees and
for Allowance of Fees to Attorney for Co-Trustees**

		JANET L. SORENSEN and HARRIET SATTERBERG , co-trustees, are Petitioners.	NEEDS/PROBLEMS/COMMENTS: Note: If the Petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Tuesday, 09/29/15 at 9:00am in Dept. 303 for filing of the increased bond, and Tuesday, 11/01/16 at 9:00am in Dept. 303 for filing of the 2nd Account. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required. 1. Bond is currently posted in the amount of \$42,691.00. Petitioners propose to distribute an additional \$609,645.56 to the Special Needs Trust from the Satterberg Family Trust. Taking into account the current assets in the Special Needs Trust (\$4,829.81), plus the \$609,645.56 to be distributed. Additional bond in the amount of \$635,521.41 is needed. Continued on Page 2
		Account period: 03/17/14 – 05/31/15	
Cont. from		Accounting: \$5,000.57	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH: \$5,000.00	
<input checked="" type="checkbox"/>	Verified	Ending POH: \$4,829.81	
<input type="checkbox"/>	Inventory	Trustees: not addressed	
<input type="checkbox"/>	PTC	Attorney: \$7,263.00 (per itemization for 26.7 hours, at \$265/hr. until 06/30/15 and \$275/hr. as of 07/01/15 for legal services related to this accounting and Petition for Instructions, division of assets to be distributed to the Special Needs Trust, etc.)	
<input type="checkbox"/>	Not.Cred.	Costs: \$435.00 (filing fees)	
<input checked="" type="checkbox"/>	Notice of Hrg	Petitioners state beneficiary of this Special Needs Trust, George Satterberg, Jr. ("George"), is also the beneficiary of the Satterberg Family Trust. At the time the Special Needs Trust was established the Satterberg Family Trust was still being administered. At this time, the trustees of the Satterberg Family Trust are prepared to complete the administration of the Satterberg Family Trust, distribute all assets, and terminate that trust. According to the terms of the Satterberg Family Trust, George is entitled to an equal 1/3 share of the trust assets, which presently consists of some cash and 3 parcels of real property.	
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting	Petitioners allege that it is in George's best interest that the Special Needs Trust receive an all cash distribution from the Satterberg Family Trust rather than partial interest in any tangible personal property or real property.	
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Continued on Page 2			

Reviewed by: JF

Reviewed on: 08/31/15

Updates:

Recommendation:

File 11 – Satterberg

Petitioners request that the Court issue an instruction directing them, as co-trustees of the Special Needs Trust, to agree to a distribution of all cash, in lieu of any tangible personal property or real property from the Satterberg Family Trust in an amount equal to the remaining balance of George's 1/3 interest in the Satterberg Family Trust.

Petitioners believe that the proposed instruction is a reasonable exercise of their powers as co-trustees of the Special Needs Trust and in George's best interest because:

- a. George cannot use or enjoy either the tangible personal property or Real Property and those assets are therefore of no benefit to him. Neither can he participate in the management of the Real Property, particularly the agricultural production acreage.
- b. Continuing to hold real property as an asset of the Special Needs Trust will result in continued costs and expenses to the Special Needs Trust.
- c. A substantial amount of the Real Property is agricultural production land and will require the trustees to expend additional time supervising and managing the Special Needs Trust's interest for which the trustees would be entitled to compensation.
- d. A distribution of cash will benefit George as supplemental support for his special needs not otherwise provided for by the public benefits available to him. Real property, being a non-liquid asset, cannot provide the same benefit.

Petitioners allege that the sum of \$609,645.56 is the amount to be distributed to the Special Needs Trust and represents his 1/3 share.

Petitioners request that:

1. The Court make an order approving, allowing and settling the attached account and report of co-trustees as filed;
2. Instructing and authorizing the petitioners, as co-trustees of the George W. Satterberg, Jr. Special Needs Trust, to accept an all cash distribution in the total amount of \$609,645.56 as George's 1/3 share of the Satterberg Family Trust in lieu of any tangible personal property or real property; and
3. Authorizing the requested attorney's fees and costs.

Needs/Problems/Comments (Con't):

2. The calculations of amounts to be distributed attached to the Amended and Restated Satterberg Trust Distribution agreement (Exhibit B to the Petition), indicates that \$28,301.34 has already been distributed to George. That amount is not reflected in the accounting for the Special Needs Trust, the Court may require clarification and/or documentation as to how that amount was previously distributed to George.
3. The Petition indicates that the remaining cash in the Satterberg Family Trust is \$40,000.00 and proposes that the entire \$40,000.00 be distributed to George as part of his 1/3 share. However, Declaration of Harriet Satterberg attached as Exhibit C to the Petition indicates that there were additional expenses of \$8,000.00 paid from the Satterberg Family Trust and therefore only \$32,000.00 is available for distribution to George, therefore seemingly reducing his 1/3 share by \$8,000.00 instead of dividing the \$8,000.00 between the 3 beneficiaries. The Court may require more information and/or reimbursement to George from the other two beneficiaries to equalize the distributions.

Conservator Scott, Sheila R. (pro per Petitioner/mother)

Probate Status Hearing Re: Filing of the Inventory and Appraisal

		SHEILA R. SCOTT, mother, was appointed conservator of the person and estate without bond and with all funds to be placed into a blocked account on 03/24/2015.	NEEDS/PROBLEMS/COMMENTS:
		Letters Issued 03/24/2015	1. Need <u>Final</u> Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from 072215		\$6,032.01 was placed in a Blocked Account, receipt filed 04/22/2015.	
Aff.Sub.Wit.		Inventory and Appraisal filed 07/30/2015 shows a <i>portion</i> of the estate valued at \$6,032.01.	
Verified			
Inventory		Minute Order of 03/24/2015 set this status hearing for the filing of the Inventory and Appraisal.	
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: LV
Reviewed on: 08/31/2015
Updates:
Recommendation:
File 12 – Foster

13A In Re: Davis Family 1989 Life Insurance Trust

Case No. 14CEPR00790

Attorney: Leigh W. Burnside (for Petitioners Joshua Davis, Corey Davis and Brittney Davis)

Trustee: Bruce Neilson (pro per)

Petition for Order Compelling Trustee to Account and Report

		JOSHUA DAVIS, COREY DAVIS and BRITTNEY DAVIS , beneficiaries, are petitioners. Petitioners state Settlor Wealthea Davis died on 3/25/98 and Thomas J. Davis died on 6/5/00 – more than 14 years ago. BRUCE NEILSON ("Trustee Neilson") is successor Trustee. Petitioners state following the death of settlor Thomas J. Davis, by their agent and their CPA, Tom Bell, inquired on multiple occasions of Trustee Neilson about the nature of the Trust assets and the timetable for distribution. Petitioners believe that the Insurance Trust at its inception was funded with approximately \$2,370,000. Petitioners have requested that Trustee Neilson provide them with an account of his administration of the Insurance Trust, but Trustee Neilson has not yet done so. Additionally, Petitioners believe that portions of the Insurance Trust property that was to be held by Trustee Neilson for the benefit of the Insurance Trust beneficiaries has been used to make loans or excessive distributions to beneficiaries other than Petitioners, all to the detriment of Petitioners and other beneficiaries whose share of Insurance Trust assets have been improperly loaned or otherwise transferred to beneficiaries who were not entitled to receive what was loaned or otherwise transferred to them as a result of the breach by Trustee Neilson of his duties to the beneficiaries. Please see additional page.	NEEDS/PROBLEMS/COMMENTS: Please see related case on page 8. 1. Need Order	
Cont. from 121514, 022315, 033015, 033015, 052615, 072215				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: KT Reviewed on: 8/31/15 Updates: Recommendation: File 13A – Davis Life		

13A

Moreover, Petitioners believe that Trustee Neilson has failed to require the execution of notes requiring repayment by the borrowers of the Insurance Trust assets, and/or that Trustee Neilson has failed to require repayment of principal and interest on the Insurance Trust monies by the borrowers, all to the detriment of Petitioners and the other Beneficiaries to whom loans were not made.

Petitioners believe that Trustee Neilson has transferred property belonging to the beneficiaries of the Insurance Trust in a manner that diminishes Petitioners' rights as beneficiaries under the Insurance Trust. Petitioners submit Trustee Neilson has refused to share information with Petitioners concerning what has been done with the assets of the Insurance Trust, and that such refusal constitutes a violation of Probate Code § 16060 which states the trustee has a duty to keep the beneficiaries "reasonably informed of the trust and its administration."

Further, Petitioners believe that Trustee Neilson has made substantially greater distributions to some beneficiaries than to others, in a manner which is inconsistent with the terms of the Insurance Trust. Some beneficiaries have been distributed or loaned far more than their "share" of the trust assets. Petitioners have been distributed far less than their "shares" and the Insurance Trust does not appear to hold sufficient assets to provide Petitioners with the assets to which they are entitled.

Petitioners request this Court order Trustee Neilson to provide a complete account and report of his administration of the Insurance Trust for the period from June 6, 2000 through the present.

Petitioners allege that Trustee Neilson should be personally surcharged for any damages resulting from his mismanagement of the Insurance Trust and failure to provide the beneficiaries with information as provided by law.

Petitioners allege that Trustee Neilson's failure to segregate the Insurance Trust assets as provided for in the Insurance Trust constitutes a breach of his fiduciary duties as Trustee.

As a proximate result of Trustee Neilson's breach of trust, there has been an extreme depletion of the Insurance Trust assets which would be available for distribution to Petitioners if not for the wrongful distributions and loans made by Trustee Neilson. Petitioners believe that Trustee Neilson's breach of trust has resulted in damages to Petitioners and the Insurance Trust in an amount not less than \$533,000.

Wherefore, Petitioners request the Court order the following:

1. Directing Trustee Bruce Neilson to prepare and file a complete account and report of his administration of the Davis Family 1989 Life Insurance Trust for the period of 6/6/2000 through 8/15/2014, inclusive;
2. Directing Trustee Bruce Neilson to set the Account and Report for hearing and give notice of same pursuant to Probate Code § 17203;
3. Awarding Petitioners reasonable attorneys' fees and costs incurred in this matter;
4. Surcharging Trustee Bruce Neilson as appropriate according to proof.

Petitioner: Bruce Neilson (pro per)

Attorney: Leigh W. Burnside (for Objectors Joshua Davis, Corey Davis, Brittany Davis)

Account and Report of Trustee and Petition for Its Settlement

		BRUCE A. NEILSON , Trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Please see related case on page 8. 2. This Account does not comply with Probate Code §1060 and therefore has not been reviewed by Examiner.		
Cont. from 052615, 072215				Objections to Account and Report of Trustee and Petition for Its Settlement; and Request for Surcharge of Trustee filed on 5/21/15.	2. This Account does not comply with Probate Code §1060 and therefore has not been reviewed by Examiner.
Aff.Sub.Wit.					
Verified					
Inventory					
PTC					
Not.Cred.					
Notice of Hrg					
Aff.Mail					
Aff.Pub.					
Sp.Ntc.		Minute Order from 5/26/15 states Mr. Neilson is admonished that the accounting needs to be in the proper format. Additionally, he is to report back to the Court regarding the status of the tax extension at the 7/22/15 hearing.	Status Declaration filed 8/28/15 states although it was anticipated that the accounting could be completed by the time of this hearing, due to the time period covered by the accounting and the lack of familiarity by the accountants of the format for court accountings, the accounting will not be completed in time. Accordingly the trustee requests an additional 30 days for the accountants to complete the accounting.		
Pers.Serv.					
Conf. Screen					
Letters					
Duties/Supp					
Objections					
Video Receipt					
CI Report					
9202					
Order				Status Declaration filed 7/20/15 states Mr. Neilson received communication from Julie Filmore of Moore Gider, the CPA firm for the trust, advising that she had been unavailable to provide accounting due to a death in her family, and that the other CPA with knowledge of the trust, Tom Bell, had been on vacation. She requested an additional 30 days to complete the accounting. Mr. Neilson contacted Mr. Klassen attorney for objecting parties, who advised that he did not have an objection to the continuance. Accordingly, Mr. Neilson requests a continuance to a date after 8/22/15.	Reviewed by: KT Reviewed on: 8/31/15 Updates: Recommendation: File 13B – Davis
Aff. Posting					
Status Rpt					
UCCJEA					
Citation					
FTB Notice					

14 Prince Perry (GUARD/P)

Petitioner Adams, Amber (Pro Per – Mother)

Case No. 14CEPR00988**Petition for Termination of Guardianship**

		AMBER ADAMS , mother, is petitioner. <u>Please see petition for details</u>	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship for: <ul style="list-style-type: none"> Jessika Adams (Co-Guardian) Lance Adams, Sr. (Co-Guardian) Father (Unknown) Paternal Grandparents (Unknown) Sharland Taylor (Maternal Grandmother) 	
Cont. from 080315				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: LV				
Reviewed on: 08/31/2015				
Updates:				
Recommendation:				
File 14 – Perry				

Probate Status Hearing RE: Proof of Additional Bond

		NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u> Proof of additional bond of \$43,000.00 filed 08/24/15</p>
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: JF
		Reviewed on: 08/31/15
		Updates:
		Recommendation:
		File 15 – Davis

Petition to Determine Succession to Real Property

		JACOB MASTRO , son, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD.	
		No other proceedings.	
Cont. from		Decedent died intestate.	
	Aff.Sub.Wit.	I & A - \$86,000.00	
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Petitioner requests Court determination that Decedent's 12 ½ % interest in real property located at 2428 Wilcomb in Cambria pass to him pursuant to intestate succession.	
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 8/31/15
			Updates:
			Recommendation:
			File 16 – Mastro

17 Violet Douglas & Jade Vasquez (GUARD/P)**Case No. 15CEPR00461****Petitioner Alexander, Mary Ann (Pro Per – Maternal Grandmother)****Petition for Appointment of Guardianship of the Person**

		<u>TEMPORARY EXPIRES 09/02/2015</u>	NEEDS/PROBLEMS/COMMENTS:
		MARY ANN ALEXANDER , Maternal Grandmother, is Petitioner.	Minute Order of 08/05/2015: Jamie Douglas, mother, states her consent to guardianship in open court. The matter is continued for proof of service as to Steve Alexander, maternal grandfather.
Cont. from 070115, 080515		<u>Please see petition for details</u>	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w/	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LV
			Reviewed on: 08/31/2015
			Updates:
			Recommendation:
			File 17 – Douglas & Vasquez

Petitioner

Smith, Jamie Leanne (Pro Per – Paternal Aunt – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. Code §1510)

See petition for details.			NEEDS/PROBLEMS/ COMMENTS:
			<p><u>Note:</u> Pursuant to a letter received by the Court 7/2/15, the Cold Springs Rancheria of Mono Indians of California has requested intervention in this matter.</p> <p><u>Update:</u> On 8/4/15, Resolution No. 2015-04 Order of Preference for Placement was filed by Cold Springs Rancheria of Mono Indians of California stating that under authority of the Indian Child Welfare Act, §1915(b) and (c), the Cold Springs Rancheria of Mono Indians of California do hereby establish that placement of the minor shall be with Jamie Leanne Smith.</p> <p><u>SEE PAGE 2.</u></p>
Cont. from 080515			
	Aff.Sub.Wit.		<p>Reviewed by: skc</p> <p>Reviewed on: 8/31/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 - Navarette</p>
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. It was previously noted that the Court had not yet received a certified mail receipt for service of the ICWA-030 (Notice of Child Custody Proceeding for Indian Child) from North Fork Rancheria; therefore, additional time may be necessary for proper notice pursuant to ICWA.

At the last hearing on 8/5/15, the clerk's office was ordered to send the ICWA-030 notice to the mother as well.

As of 8/31/15, no certified mail return receipt has been received yet by the Court from the notice sent to North Fork Rancheria on 5/26/15, and no certified mail return receipt has been received by the Court from the notice mailed to the mother pursuant to the minute order of 8/5/15.

However, a different tribe, Cold Springs Rancheria of Mono Indians, has filed preference with the court that the minor be placed with this petitioner.

At this time, the Court may require clarification notice to North Fork Rancheria, and may require additional time for further notice.

		<u>NO TEMPORARY REQUESTED</u>	<u>NEEDS/PROBLEMS/COMMENTS:</u>
		JOSE MENDEZ , brother-in-law, is Petitioner.	<u>CONTINUED FROM 07/29/15</u>
		Father: CELEDONIO ESCOBAR	Petitioner is Spanish speaking.
Cont. from 072915			1. Need Notice of Hearing.
	Aff.Sub.Wit.	Mother: ISABEL RODAS – Notarized document authorizing transfer of custody to Petitioner filed 08/18/15	2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:
✓	Verified		a. Celedonio Escobar (father) – personal service required
	Inventory	Paternal grandfather: FLORENCIO MONTOY – deceased	b. Isabel Rodas (mother) – personal service required
	PTC	Paternal grandmother: FRANCISCA ESCOBAR – deceased	Note: Notarized document authorizing transfer of custody of minor to Petitioner filed 08/18/15
	Not.Cred.		c. Rosa Escobar Rodas (sister) – service by mail sufficient
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.	Maternal grandfather: BENJAMIN RODAS – deceased	
	Sp.Ntc.	Maternal grandmother: BERNARDINA ARGUETA – deceased	
	Pers.Serv.		
✓	Conf. Screen	Sibling: ROSA ESCOBAR RODAS (25)	
✓	Letters	Petitioner states: [see Petition for details].	
✓	Duties/Supp	Court Investigator Charlotte Bien filed a report on 07/13/15.	
	Objections		
	Video Receipt	Declaration filed 08/18/15 attaches a translated and original notarized document signed by the minor's mother, Isabel Rodas, transferring legal permanent custody of minor to Petitioner.	
✓	CI Report		
	9202		Reviewed by: JF
✓	Order		Reviewed on: 08/31/15
	Aff. Posting		Updates:
	Status Rpt		Recommendation:
✓	UCCJEA		File 19 – Rodas
	Citation		
	FTB Notice		

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under the Independent Administration of Estates Act

DOD: 4/23/15		JAMES J. MCCOWN , son/named executor without bond, is petitioner. Full IAEA – o.k. Will dated: 10/22/1999 Residence: Fresno Publication: Fresno Business Journal	NEEDS/PROBLEMS/COMMENTS: Note: If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Wednesday, February 10, 2016 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, November 9, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	
Cont. from 072915				
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	W/	Estimated value of the estate: Personal property - \$ 28,500.00 Real property - \$217,122.00 Total - \$245,622.00	
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202		Probate referee: Rick Smith	
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: KT				
Reviewed on: 8/31/15				
Updates:				
Recommendation:				
File 20 – Welsh				

Petitioner Gutierrez, Guadalupe, JR (Pro Per – Non-Relative)

Petition for Appointment of Temporary Guardianship of the Person

		GENERAL HEARING	NEEDS/PROBLEMS/COMMENTS:
		09/14/2015	
		GUADALUPE GUTIERREZ , non- relative, is petitioner.	Minute Order of 07/29/2015: Ms. Choya represents that Guadalupe Gutierrez, Petitioner and her son, is currently hospitalized, and she came to request a continuance. Examiner notes provided in open Court.
		Please see petition for details	
Cont. from 072915			The following issues remain: <ol style="list-style-type: none"> Petition is incomplete. Petitioner does not provide a reason why temporary guardianship is in the best interest of the minor. Note: General Petition is also incomplete and does not provide a reason as to why guardianship is in the best interest of the minor. Page #5 of the Guardianship Petition – Child Information Attachment (GC 210(CA)) which pertains to whether the child has Native American Ancestry was not completed. Need declaration with page #5 attached. UCCJEA is incomplete. Need minor's residence information for the past 5 years
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 08/31/2015
			Updates:
			Recommendation:
			File 21 – Messick

Petition to Determine Succession to Real Property

DOD: 3/13/15	RYAN BOUCHER , son, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD.	
Cont. from	No other proceedings.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Decedent died intestate.	
<input type="checkbox"/> Inventory	I & A - \$120,000.00	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner requests court determination that Decedent's ½ interest in real property located in Kingsburg passes to him, subject to a life estate in favor of Julie Boucher.	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 8/31/15
		Updates:
		Recommendation: SUBMITTED
		File 22 – Boucher

Spousal or Domestic Partner Property Petition

DOD: 9/10/14		JACKIE DIANE KIEL , surviving spouse, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		No other proceedings	1. Need original will deposited with the court pursuant to Probate Code §8200.
Cont. from			
	Aff.Sub.Wit.	Will dated 2/4/05 devises entire estate to spouse, Jackie Diane Kiel	
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Petitioner requests court confirmation that decedent's interest in 13.5 acres of real property located in San Bernardino County pass to her pursuant to Decedent's Will.	
✓	Aff.Mail		W/O
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/1/15
			Updates:
			Recommendation:
			File 23 – Kiel

24 Josephina Lemus (GUARD/P)**Case No. 15CEPR00786**

Petitioner: Maria G. Lemus Cisneros (pro per)

Competing Petitioner: Jose Rene Mendoza, JR (pro per)

Petition for Appointment of Temporary Guardian

GENERAL HEARING 10/21/15		NEEDS/PROBLEMS/COMMENTS:																																																																							
MARIA G. LEMUS , paternal aunt, is petitioner. Please see petition for details.		Note: A competing petition for guardianship filed by Jose Mendoza, mom's boyfriend, is set for hearing on 10/14/15. 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Pablo Lemus Cisneros (father)																																																																							
<table border="1"> <tr><td colspan="3">Cont. from</td></tr> <tr><td></td><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td></td><td>Notice of Hrg</td><td>X</td></tr> <tr><td></td><td>Aff.Mail</td><td></td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td>X</td></tr> <tr><td>✓</td><td>Conf. Screen</td><td></td></tr> <tr><td>✓</td><td>Letters</td><td></td></tr> <tr><td>✓</td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td></td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td>✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td>✓</td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table>			Cont. from				Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.			Notice of Hrg	X		Aff.Mail			Aff.Pub.			Sp.Ntc.			Pers.Serv.	X	✓	Conf. Screen		✓	Letters		✓	Duties/Supp			Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt		✓	UCCJEA			Citation			FTB Notice
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		<u>TEMPORARY EXPIRES 09/02/2015</u>		NEEDS/PROBLEMS/COMMENTS:	
		DIANA HARTMAN, maternal grandmother, is Petitioner.		Continued from 09/01/2015.	
		<u>Please see petition for details</u>		Note: Petitioner filed an updated notice of hearing showing service was effectuated on paternal grandfather, Ron Sharp, on 08/06/2015.	
Cont. from 071415, 080415, 090115				Minute Order of 08/04/2015: Petitioner is to ask the father about the paternal grandfather and/or check the father's birth certificate for the name in order to have him properly noticed.	
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	n/a			
✓	Conf. Screen				
✓	Letters				
	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting			Reviewed by: LV	
	Status Rpt			Reviewed on: 09/01/2015	
✓	UCCJEA			Updates:	
	Citation			Recommendation:	
	FTB Notice			File 25 - Hartman	